

2002 NOV 5 PM 4 03

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

ORDER OF AMENDED PARTIAL DECREE

For Water Right 36-15155

On September 19, 2002, a *Special Master's Report and Recommendation* was filed for the above water right recommending that the *Partial Decree* entered on January 2, 2002, be set aside and modified to correct the clerical error. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that the *Partial Decree* entered January 2, 2002, is set aside and water right 36-15155 is hereby **decreed** as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED November 5, 2002



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

AMENDED

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 36-15155

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED
2002 NOV 5 PM 4 03

NAME AND ADDRESS: PAUL ROBERTSON
37 N 500 W
PAUL, ID 83347

SOURCE: GROUNDWATER

QUANTITY: 3.28 CFS

PRIORITY DATE: 02/03/1966

POINT OF DIVERSION: T06S R21E S34 NENESW Within Lincoln County

PURPOSE AND	PURPOSE OF USE	PERIOD OF USE	QUANTITY
PERIOD OF USE:	Irrigation	04-01 TO 10-31	3.28 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK
IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY
OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE
A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE:	Irrigation	Within Lincoln County	
	T06S R21E S34	SWNE 40.0 SENE 40.0 SENW 40.0 NESE 40.0 NWSE 40.0 SWSE 40.0 SESE 40.0 S35 S35 S35	SWNE 40.0 SENE 40.0 SENW 40.0 NESE 40.0 NWSE 40.0 SWSE 40.0 SESE 40.0 S35 S35 S35
	400.0 Acres Total		

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 164 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

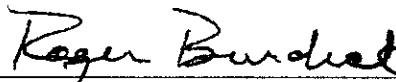
USE OF THIS RIGHT WITH RIGHT NO. 36-07674 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.80 CFS, A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 1600 AF, AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 400 ACRES IN A SINGLE IRRIGATION SEASON.

RIGHT NO. 36-07674 IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

2002 NOV 05 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 36-15155

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 36-15155 was mailed
on November 05, 2002, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

PAUL ROBERTSON
Represented by:
DANA L. HOFSTETTER
608 WEST FRANKLIN STREET
BOISE, ID 83702
Phone: 208-424-7800

ROBBIN HALL
Chief Deputy Clerk